

Criminal Background Report: Explanation & Instructions

Criminal background checks are required for each Ultimate Equitable Owner of a licensed loan broker and every individual applying for registration as a principal manager or originator pursuant to Ind. Code § 23-2-5-5(k). These individuals must undergo a **STATE CRIMINAL BACKGROUND CHECK** from **EACH** state in which they resided or worked during the previous ten (10) years. Criminal background checks are required for the following individuals:

- **Ultimate Equitable Owners:** If the ultimate equitable owner is a non-individual, then the following rules for criminal background checks apply depending on the type of entity.
 - **Corporation** – all individuals owning ten percent (10%) or more of the **Corporation's** equity must file a criminal background report.
 - **General Partnership** – all partners must file a criminal background report.
 - **L.L.C.** – all members must file a criminal background report
 - If a non-individual owns ten percent (10%) or more of that Corporation's equity, is a partner in that Partnership, or is a member of that L.L.C., then the same rules for criminal background reports apply for those non-individuals. These rules apply for every level of ownership until only individuals remain.
- **Principal Managers:** any individual seeking to serve as a principal manager for a licensed loan broker
- **Originators:** any individual engaging in origination activities on behalf of a licensed loan broker

Individuals whose residence or place of business is located in Indiana:

Complete the following steps:

1. Print the Request for Limited Adult Criminal History Information (State Form #8053) and complete the "Review Challenge" portion (this form may be printed from the Securities Division's webpage or the Indiana State Police's website: <http://www.in.gov/isp/LCHrequest.pdf>);
2. Obtain a complete set of fingerprints from your local law enforcement agency;
3. Mail the properly completed Request for Limited Adult Criminal History Information, fingerprint card, and \$10 certified check or money order, payable to the State of Indiana to the following address:

Indiana State Police, Criminal History Limited Check

Records Division

P.O. Box 6188

Indianapolis, Indiana 46206-6188

4. Mail the original Review Challenge report along with a properly completed Ultimate Equitable Owner Information form (State Form 53271/Form LB 2) or Application for Registration as a Principal Manager or Originator (State Form 49718/Form LB 4) to the Indiana Secretary of State, Securities Division.

Individuals whose residence or place of business is located Out-of-State: If your workplace or your place of residence has been located outside Indiana anytime during the previous ten (10) years, you must undergo a state criminal background check from the law enforcement department **in each state in which you have resided or worked**. Contact the state police department for information on how to obtain a criminal background check in your state. Submit the original criminal history report(s) along with a properly completed Ultimate Equitable Owner Information form (State Form 53271/Form LB 2) or Application for Registration as a Principal Manager or an Originator (State Form 49718/Form LB 2) to the Indiana Secretary of State, Securities Division.

BE ADVISED: Failure to submit the required criminal background reports(s) issued by the Indiana State Police or another state law enforcement agency, whichever applicable, will delay the processing of your application. The Division will **NOT** issue a license or a certificate of registration without the criminal background report.